THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No. 28087 OF 2005

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Dated 24th February, 2006

Between:

Dantuluri Viswanatha Raju

and another.

… Petitioners.

And

Karam Linganna and others.

… Respondents.

ORAL ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Social Welfare.

The petitioners are the owners and possessors of land admeasuring Ac.5.44 cents covered by R.S.No.13/1, Ac.0.82 cts. in RS No.13/2 and Ac.4.21 cents in R.S.No.

14/7 of Chinagarlapadu village of Gangavaram Mandal, East Godavari District. With regard to the said land, proceedings were initiated under the provisions of Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959, as amended by Regulation 1 of 1970. The primary authority had passed orders dropping the proceedings. However appeal had been preferred by the first respondent. The appellate authority reversed the order of the primary authority and ordered eviction of the petitioners from the land in question. It is the case of the petitioners that they have purchased the land as early as on 5.7.1916 and in view of the same, the said transfer is not hit by the regulations. It is further stated that as against the order of the Additional Agent to Government, who is the appellate authority, revision has been preferred as provided under Clause 6 of Regulation 1 of 1959 on 8.12.2005. On the ground that the revisional authority has not passed any orders either on the stay petition or on the revision petition and the respondents are taking steps to evict the petitioners from the land in question, they approached this court by filing this writ petition.

With regard to the merits of the case as to whether the transfer is in contravention or not and the findings recorded by the appellate authority are correct or not, the same are matters to be considered by the revisional authority in the pending revision filed by the petitioners on 8.12.2005. But, inasmuch as it is stated that the petitioners have purchased the land as early as in 1916 and continued in uninterrupted possession from then onwards, I deem it proper to direct the revisional authority to dispose of the revision within a time-frame and continue the petitioner in possession pending disposal of the revision petition filed by the petitioners.

In that view of the matter, writ petition is disposed of directing the revisional authority to decide the revision petition filed by the petitioners on 8.12.2005, as expeditiously as possible and preferably, within a period of three months from the date of the receipt of a copy of this order. The respondents are further directed to continue the possession of the petitioners over the land in question pending disposal of the revision petition filed by the petitioners.

Subject to the above directions, the writ petition is disposed of. No costs.

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2006. **(R.SUBHASH REDDY, J.)**

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Note:

Furnish cc within 3 days.

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